REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated December 21, 2007 has been received and its contents carefully reviewed.

Claims 1-17 are hereby amended. Support for the amendment can be found, for example, at Specification, page 6, lines 13-16. No new matter has been added. Accordingly, claims 1-17 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Office Action rejects claim 1-17 under 35 U.S.C. §101. Specifically, the Office states the claimed recitation of "a use ... results in an improper definition of a process." *Office Action*, pate 2, lines 6-8. The Office Action also rejects claims 1-17 under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps. The Office further states that "claim 1 is inconsistent with the term 'oxalic acid.'" *Office Action*, page 3, line 9. Applicants have amended claims 1-17 to more clearly define subject matter. Accordingly, Applicants respectfully request the Office withdraw the 35 U.S.C. §101 and 35 U.S.C. §112, second paragraph rejections.

The Office Action rejects claims 1-14 and 16-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,561,200 to Fournel et al. (*Fournel*). Applicants respectfully traverse the rejection.

As required in M.P.E.P. § 2131, in order to anticipate a claim under 35 U.S.C. § 102, "the reference must teach every element of the claim." *Fournel* does not teach every element of claims 1-14 and 16-17, and thus cannot anticipate these claims.

Claim 1 cites, "a foam prepared with an aqueous solution which comprises ... from 0.1 to 1.5% by weight of gelling agent." According to the Specification, "[t]he foams generated from the composition of the present invention thus comprises a gelling agent [and] unexpectedly, the lifetime of this foam is greatly increased." *Specification*, page 3, lines 2-4, emphasis added. *Fournel* fails to teach or suggest at least this element of claim 1. In fact, *Fournel* discloses that

"[i]f an acid reagent is used made up of H_2SO_4 at a concentration of more than 3 $mol.l^{-1}$, a viscosing compound is preferably added to the liquid phase such as polyelthylene glycol." *Fournel*, column 3, lines 33-36. The viscosing compound may slow down the "phenomenon of direct sedimentation of the liquid phase through the interface separating the gas bubbles from the foam." *Fournel*, column 3, lines 37-41. The viscosing compound is clearly different from and cannot anticipate the gelling agent of claim 1. Accordingly, claim 1 is allowable over *Fournel*. Claims 2-14 and 16-17 variously depend from claim 1, and are also allowable over *Fournel* for at least the same reasons as claim 1. Applicants therefore respectfully request withdrawal of the rejection.

The Office Action rejects claims 1-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,670,469 to Dingus et al. (*Dingus*). Applicants respectfully traverse the rejection.

Claim 1 recites, "[p]rocess for the radioactive decontamination of a surface, which involves bringing the surface to be decontaminated into contact with a foam prepared with an aqueous solution." *Dingus* fails to teach at least this element of claim 1. *Dingus* discloses a composition used as a pigmented lacquer, a film, an emulsion, or a latex. *Dingus*, column 14, line 9, to column 15, line 10. *Dingus* does not teach a foam composition as claimed. Accordingly, claim 1 is allowable over *Dingus*. Claims 2-17 variously depend from claim 1, and are also allowable over *Dingus* for at least the same reasons as claim 1. Applicants therefore respectfully request withdrawal of the rejection.

The Office Action rejects claims 1-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,475,296 to Gauchon (*Gachon*). Applicants respectfully traverse the rejection.

Claim 1 recites, "[p]rocess for the radioactive decontamination of a surface, which involves bringing the surface to be decontaminated into contact with a foam prepared with an aqueous solution which comprises ... from 0.1 to 1.5% by weight of gelling agent." *Gachon* fails to teach at least these elements of claim 1. *Gachon* discloses a degreasing composition comprising a base, a polyethoxylated fatty alcohol, a copolymer of ethylene oxide and propylene

oxide, and water. A "degreasing gel can comprise the degreasing composition ...[and] a viscosity agent," and the viscosity agent can be xantham gum. *Gachon*, column 5, lines 15-31. Please note, the viscosity agent is a component of the degreasing gel, which is clearly not a foam as required by claim 1. Accordingly, claim 1 is allowable over *Gachon*. Claims 2-17 variously depend from claim 1, and are also allowable over *Gachon* for at least the same reasons as claim 1. Applicants therefore respectfully request withdrawal of the rejection.

The Office Action rejects claims 1-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,421,897 to Grawe (*Grawe*). Applicants respectfully traverse the rejection.

Claim 1 recites, "[p]rocess for the radioactive decontamination of a surface, which involves bringing the surface to be decontaminated into contact with a foam prepared with an aqueous solution." *Grawe* fails to teach at least this element of claim 1. *Grawe* discloses a process for removing a contaminant from a surface. "In the first step of this process, a liquid-state composition is applied to a surface comprising a contaminant. Next, the liquid-state composition is allowed to solidify into a solid-state matrix comprising the contaminant, thereby sequestering the contaminant. Finally, the solid-state matrix is removed from the surface, thereby decontaminating the surface." *Grawe*, abstract. Please note, this process does not involve a foam as required by claim 1. *Grawe* discloses the use of foam enhancement agents, but these agents are used to "aid in lifting the contaminant from the surface and to promote its inclusion into the liquid composistion." *Grawe*, column 17, lines 16-19. The foam enhancement agents do not involve the preparation of a foam, as expressly required by claim 1. Accordingly, claim 1 is allowable over *Grawe*. Claims 2-17 variously depend from claim 1, and are also allowable over *Grawe* for at least the same reasons as claim 1. Applicants therefore respectfully request withdrawal of the rejection.

The application is in condition for allowance. Early and favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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